

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF CHANDLER

A.G. CONTRACT NO. 4987-328

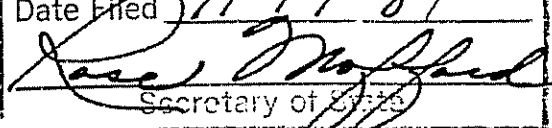
THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE" and the CITY OF CHANDLER, hereinafter called "CITY",

WHEREAS, the STATE is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE,

WHEREAS, the CITY is empowered by A.R.S. Section 48-572 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said City,

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the CITY. This work shall consist of the installation of new traffic signals at the following location:

On SR 87 at Knox Road - MP 168.21
City of Chandler
Project # F-045-1-929

| |
|---|
| NO. <u>12568</u> |
| FILED WITH SECRETARY OF STATE |
| Date Filed <u>11-17-87</u> |
|  Secretary of State |

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on SR 87 and Knox Road.

2. The CITY, upon completion of the work shall reimburse the STATE for 50% of the final construction and engineering costs at SR 87 and Knox Road not to exceed \$40,000 for its share of the cost of the work.

3. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place and functional.

4. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This Agreement shall be filed with the Secretary of State and shall become effective upon filing.

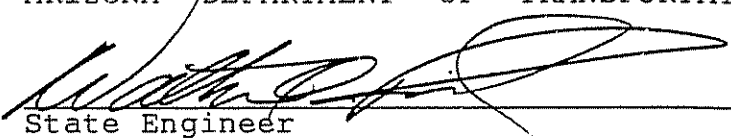
6. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. §12-1518.

STATE OF ARIZONA

ARIZONA DEPARTMENT OF TRANSPORTATION

BY:


State Engineer

DATE:


11/5/87

CITY OF CHANDLER

BY:

TITLE:

DATE:


Mayor

10/22/87

ATTEST:

Carolyn Dusan
City Clerk cc 10/8/87

Date: 10/22/87

Project #F-045-1-929

SR 87 and Knox Road - MP 168.21

CITY OF CHANDLER

RESOLUTION

BE IT RESOLVED, on this 28 day of August, 1987,
that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT
OF TRANSPORTATION, have determined that it is in the best
interests of the State of Arizona that the DEPARTMENT OF
TRANSPORTATION, acting by and through the Highways Division
enter into a Construction Intergovernmental Agreement with
the CITY OF CHANDLER for the installation of traffic sig-
nals justified by a Traffic Engineering study and a Letter
Addendum to the Maintenance Intergovernmental Agreement
for the operation and maintenance of traffic signals and/or
highway lighting. The CITY OF CHANDLER shall reimburse
the STATE for 50% of the final construction and engineering
costs not to exceed \$40,000 for its share of the cost of
this work. THEREFORE, authorization is hereby given to
draft said Agreement and Addendum which, upon completion,
shall be submitted for approval and execution by the State
Engineer.



CHARLES L. MILLER, Director

ARIZONA DEPARTMENT OF TRANSPORTATION



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

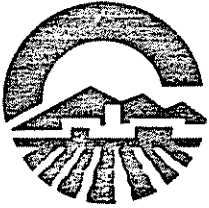
A. G. Contract No. KR 87-3208, is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 12 day of November, 1987.

ROBERT K. CORBIN
Attorney General

Jan. Acosta
Assistant Attorney General
Transportation Division



CITY OF CHANDLER
Office of the City Clerk

C E R T I F I C A T I O N

I, Carolyn Dunn, the duly appointed and acting Deputy City Clerk of the City of Chandler, Arizona, do hereby certify that the attached document entitled "Regular Meeting, October 8, 1987, page 4, is a true and correct copy of the Regular Minutes of the City Council meeting, City of Chandler, Chandler, Arizona, in which the Intergovernmental Agreement between the City of Chandler, and the State of Arizona (ADOT), for the construction of the Knox Road/Arizona Avenue (SR 87) traffic signal was approved. The attachment is a copy of the documents of record which are on file in the office of the City Clerk.

Signed and sealed this 29th day of October, 1987.

Carolyn Dunn
Deputy City Clerk

S E A L

Preliminary Development Plan and Preliminary Plat

4. Approval by the Zoning Administrator on all details required by code, condition, and exhibits approval including but not limited to landscape plans and project amenities, with the following amplifications:

- a. The bikeway element shall continue along Shannon Street to the east and include bomanite or equivalent street crossing treatments;
- b. Open spaces shall be improved or graded/terraced to distribute storm water from common storms (5-10 year) so that limited areas are inundated.

12. ZONING AMENDMENT: Z87-122 Hartford Court (CC 87-316)

Continued, to the October 7, 1987 meeting, consideration of Z87-122 Hartford Court to allow the Planning and Zoning Commission additional time for a neighborhood meeting. This is a request for amendment to Conceptual Plan (town houses) to allow an elderly care center at the northwest corner of Hartford Street and Calle del Norte.

13. ZONING/SAN MARCOS ESTATES: Z87-117 PAD (CC 87-324)

Continued, at Staff's request, consideration of Z87-117 San Marcos Estates (Ann Arnott & Assoc.) to the November 5, 1987 meeting to allow the applicant to respond to neighborhood concerns voiced at two neighborhood meetings. The applicant wishes to reactivate the previously approved PAD zoning for the multifamily components of San Marcos Estates.

14. ZONING/FAR WEST FIR SALES COMPANY: Z87-129 (CC 87-315)

Continued consideration of Z87-129 Far West Fir Sales Company to the November 5, 1987 meeting. This item is a request for rezoning from AG-1 to I-1 on 10.5 acres located at 6878 W. Chandler Boulevard.

15. DEVELOPMENT PLAN AMENDMENT/THE REFLECTIONS: Z87-128 (CC 87-323)

Continued consideration of Z87-128 The Reflections to the October 22, 1987 meeting to permit the applicant, Staff and Commission to coordinate development with adjacent property owners. This item is a request for amendment of a Preliminary Development Plan in the Tract Four Gila Springs Development.

16. TRAFFIC SIGNALS: Ordinance #1884

Adopted Ordinance #1884 providing for a traffic signal and street light reimbursement agreements.

17. INTERGOVERNMENTAL AGREEMENT/TRAFFIC SIGNALS: Resolution #1608
(88-105)

Adopted Resolution #1608 providing for an Intergovernmental Agreement and Addendum (with ADOT) for installation of traffic signals at Arizona Avenue (SR 87) and Knox Road. Construction of this project is expected to begin in early 1988.